



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John Bertin et al. # 5 Art Unit : 1653  
Serial No. : 09/986,224 Examiner : Unknown  
Filed : October 22, 2001  
Title : NOVEL MOLECULES OF THE NBS/LRR PROTEIN FAMILY AND USES  
THEREOF

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

VERIFIED STATEMENT UNDER 37 CFR §1.821(f)

I, Jennifer H. Payne, declare that I personally prepared the paper and the computer-readable copy of the Sequence Listing filed herewith for the above-identified application and that the content of both is the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: January 28, 2002

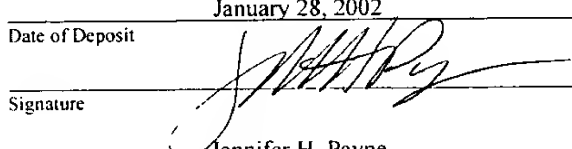
  
Jennifer H. Payne

Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
(617) 542-5070 telephone  
(617) 542-8906 facsimile

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

January 28, 2002  
Date of Deposit  
  
Signature  
Jennifer H. Payne  
Typed or Printed Name of Person Signing Certificate



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/986,224	10/22/2001	John Bertin	07334-333001

CONFIRMATION NO. 4988

## FORMALITIES LETTER



\*OC000000007118571\*

ANITA L. MEIKLEJOHN, PH.D.  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804

Date Mailed: 11/26/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

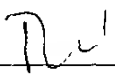
For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at

patin21help@uspto.gov or patin3help@uspto.gov

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*A copy of this notice MUST be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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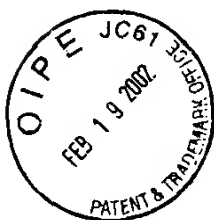
Commissioner for Patents  
Washington, D.C. 20231

**COPY OF PAPERS  
ORIGINALLY FILED**

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application under 37 CFR §1.53(b) mailed November 26, 2001 (copy enclosed), applicant as a large entity submits herewith the following:

- ☒ Check in payment of \$130 surcharge for filing the declaration on a date later than the filing date of the application;
- ☒ Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63 (4 pages);
- ☒ Preliminary Amendment (2 pages);
- ☒ Verified Statement Under 37 CFR §1.821(f) (1 page); and
- ☒ Sequence Listing (paper copy (45 pages) and computer readable format (1 diskette)).



**DISK TO STIC**

DATE: \_\_\_\_\_

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

January 28, 2002

Date of Deposit

Signature

Jennifer H. Payne

Typed or Printed Name of Person Signing Certificate

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 07334-333001.

Respectfully submitted,

Date: January 28 2002

Jack Brennan  
Jack Brennan  
Reg. No. 47,443

Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906